

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LAKELAND BANK

Plaintiff,

CASE NO. 4:22-cv-01076-WIA

v.

SUN-RE CHEESE CORP.

Defendant.

ORDER

AND NOW, this ___ day of _____, 2023, upon consideration of all testimony and admitted exhibits at the trial of this matter, it is hereby ORDERED that judgment in replevin is Granted to Plaintiff Lakeland Bank for the following specific pieces of equipment: (1) 3 Monblanc Engineering Refurbished CMT Chilling Vats – 1 VRM 6000, 1-VRM 9000, 1- VRM 5000; (2) 1 Heritage Equipment Company Walker Model VSHT 30,000 gallon refrigerate silo type storage tank (the “Equipment”).

IT IS FURTHER ORDERED that Defendant Sun-Re Cheese Corp. shall immediately turnover the Equipment to Plaintiff Lakeland Bank, or allow the auction and sale of the Equipment to occur at Defendant’s Premises to collect the sum of \$ _____ as of February _____, 2023 within 30 days of this Order.

IT IS FURTHER ORDERED that should Defendant Sun-Re Cheese Corp. fail or refuse to turn over the Equipment or to allow the auction and sale of the Equipment at its premises, that the U.S. Marshall’s Office is authorized to break locks, if required, and is directed to take possession of said Equipment and to deliver said Equipment to Plaintiff Lakeland Bank for scheduling the sale, without bond.

IT IS FURTHER ORDERED that should Plaintiff receive in excess of \$_____, plus any additional attorney's fees and costs of sale incurred after February ____, 2023, that said excess proceeds shall be turned over to the Defendant, unless any claims for said excess funds are made by junior creditors.

BY THE COURT:

WILLIAM I. ARBUCKLE
U.S. MAGISTRATE JUDGE